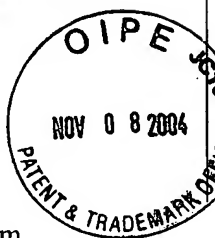


AMSTER
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& EBENSTEIN LLP

Intellectual Property Law

90 Park Avenue
New York NY 10016
Main 212 336 8000
Fax 212 336 8001
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*Not admitted in New York

November 8, 2004

Via Express Mail

Benjamin M. Halpern
Direct 212 336 8095
E-mail bhalpern@arelaw.com

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Re: U.S. Patent Appln. S.N. 10/803,847
Filed: March 18, 2004
Inventor: Guangming Xiao
Title: EMBEDDED ATTENUATED PHASE SHIFT MASK WITH
TUNABLE TRANSMISSION
Our File: 67493/121(formerly 6758.2-1)

| | |
|---|------------------------|
| "Express Mail" mailing label No. | EL 996367822 US |
| Date of Deposit: | November 8, 2004 |
| I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. | |
| Name: | Vivian Campbell |
| Signature: | <i>Vivian Campbell</i> |

Dear Sir:

Please find enclosed a "Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address" and Statement under 37 CFR 3.73(b) in duplicate, appointing Amster, Rothstein & Ebenstein as new counsel in the above-referenced patent application. Also enclosed is a copy of the recorded Assignment.

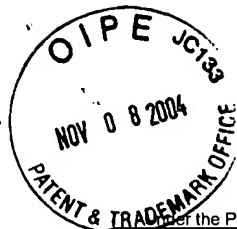
Please acknowledge receipt of the enclosed papers by stamping the enclosed postcard and returning the same.

Respectfully submitted,

AMSTER, ROTHSTEIN & EBENSTEIN LLP

Charles R. Macedo / BMH
Charles R. Macedo
Registration No. 32,781

CRM:BMH/vc
Enclosures



PTO/SB/82 (09-04)
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**REVOCATION OF POWER OF
ATTORNEY WITH
NEW POWER OF ATTORNEY
AND
CHANGE OF CORRESPONDENCE ADDRESS**

| | |
|------------------------|----------------------|
| Application Number | 10/803,847 |
| Filing Date | March 18, 2004 |
| First Named Inventor | Guangming Xiao |
| Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 67493/121 (6758.2-1) |

I hereby revoke all previous powers of attorney given in the above-identified application.

☐ A Power of Attorney is submitted herewith.

OR

☒ I hereby appoint the practitioners associated with the Customer Number:

1912

☒ Please change the correspondence address for the above-identified application to:

☒ The address associated with
Customer Number:

1912

OR

| | | | | | |
|---|---|-------|--------------|-----|-------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Charles R. Macedo, Esq. | | | | |
| Address | Amster, Rothstein & Ebenstein, LLP 900 Park Avenue | | | | |
| City | New York | State | New York | Zip | 10016 |
| Country | USA | | | | |
| Telephone | 212-336-8000 | Fax | 212-336-8001 | | |

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)

SIGNATURE of Applicant or Assignee of Record

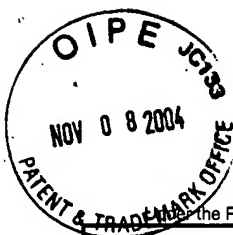
| | | | |
|-----------|-----------------------------------|-----------|--------------|
| Signature | | | |
| Name | PHOTRONICS, INC. , Edwin L. Lewis | | |
| Date | 11-03-04 | Telephone | 203 740-5621 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.36. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: GUANGMING XIAOApplication No./Patent No.: 10/803,847 Filed/Issue Date: March 18, 2004Entitled: EMBEDDED ATTENUATED PHASE SHIFT MASK WITH TUNABLE TRANSMISSIONPHOTRONICS, INC., a CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015122, Frame 0219, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
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3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]
Signature

11-03-04
Date

Edwin L. Lewis
Printed or Typed Name

203-740-5621
Telephone Number

Vice President, General Counsel and Secretary
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ATTORNEY WITH
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AND
CHANGE OF CORRESPONDENCE ADDRESS**

| | |
|------------------------|----------------------|
| Application Number | 10/803,847 |
| Filing Date | March 18, 2004 |
| First Named Inventor | Guangming Xiao |
| Art Unit | Not Yet Assigned |
| Examiner Name | Not Yet Assigned |
| Attorney Docket Number | 67493/121 (6758.2-1) |

I hereby revoke all previous powers of attorney given in the above-identified application.☐ A Power of Attorney is submitted herewith.**OR**☒ I hereby appoint the practitioners associated with the Customer Number:

1912

☒ Please change the correspondence address for the above-identified application to:☒ The address associated with
Customer Number:

1912

OR

| | | | | | |
|---|---|-------|----------|--------------|-------|
| <input checked="" type="checkbox"/> Firm or Individual Name | Charles R. Macedo, Esq. | | | | |
| Address | Amster, Rothstein & Ebenstein, LLP 900 Park Avenue | | | | |
| City | New York | State | New York | Zip | 10016 |
| Country | USA | | | | |
| Telephone | 212-336-8000 | | Fax | 212-336-8001 | |

I am the:☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.
*Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)***SIGNATURE of Applicant or Assignee of Record**

| | | | |
|-----------|----------------------------------|-----------|--------------|
| Signature | | | |
| Name | PHOTRONICS, INC., Edwin L. Lewis | | |
| Date | 11-03-04 | Telephone | 203 740-5621 |

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: GUANGMING XIAO

Application No./Patent No.: 10/803,847 Filed/Issue Date: March 18, 2004

Entitled: EMBEDDED ATTENUATED PHASE SHIFT MASK WITH TUNABLE TRANSMISSION

PHOTRONICS, INC., a CORPORATION

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015122, Frame 0219, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

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The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

[Signature]
Signature

Edwin L. Lewis
Printed or Typed Name

Vice President, General Counsel and Secretary
Title

11-03-04
Date

203-740-5621
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEPTEMBER 14, 2004

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INTELLECTUAL PROPERTY SECTION
1445 ROSS AVENUE, ST. 400
DALLAS, TX 75202-2790

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RECORDATION DATE: 03/18/2004

REEL/FRAME: 015122/0219
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

XIAO, GUANGMING

DOC DATE: 03/16/2004

ASSIGNEE:

PHOTRONICS, INC.
15 SECOR ROAD
BROOKFIELD, CONNECTICUT

SERIAL NUMBER: 10803847

FILING DATE: 03/18/2004

PATENT NUMBER:

ISSUE DATE:

TITLE: EMBEDDED ATTENUATED PHASE SHIFT MASK WITH TUNABLE TRANSMISSION

015122/0219 PAGE 2

TONYA LEE, EXAMINER
ASSIGNMENT DIVISION
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Form PTO-1595
(Rev. 10/02)

OMB No. 0651-0027 (exp. 6/30/2005)

Tab settings

U.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):
Guangming Xiao

3-18-04

2. Name and address of receiving party(ies)

Name: Photronics, Inc.

Internal Address:

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

3. Nature of conveyance:



Assignment



Merger



Security Agreement



Change of Name



Other

Street Address: 15 Secor Road

City: Brookfield State: CT Zip:

Execution Date: 3/16/04

Additional name(s) & address(es) attached? ☐ Yes ☒ No

4. Application number(s) or patent number(s):

10803847

If this document is being filed together with a new application, the execution date of the application is: 3/16/04

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Munsch Hardt Kopf & Harr, P.C.

Internal Address: Intellectual Property Section

Street Address: 1445 Ross Avenue, Ste. 4000

City: Dallas State: TX Zip: 75202-2790

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00



Enclosed



Authorized to be charged to deposit account

8. Deposit account number:

13-4900

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9. Signature.

Marc A. Hubbard

Name of Person Signing

Signature

March 18, 2004

Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

ATTY. DOCKET NO. 0758.2-1

PATENT

ASSIGNMENT

WHEREAS, I, the below named inventor, has invented certain new and useful inventions disclosed in a application for United States Letters Patent entitled "EMBEDDED ATTENUATED PHASE SHIFT MASK WITH TUNABLE TRANSMISSION" executed concurrently herewith.

WHEREAS, Photronics, Inc., a corporation of the State of Connecticut, having a place of business at 15 Secor Road, Brookfield, Connecticut. (hereinafter referred to as "ASSIGNEE"), desires to acquire the entire right, title and interest in and to said inventions, any application and any patents and other rights that may be granted on or for any one and all of said inventions throughout the world.

NOW, THEREFORE, for and in consideration of one dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, I, as the undersigned inventor, hereby sell, assign and transfer unto ASSIGNEE, its successors, assigns and legal representatives, the full and exclusive right, title and interest in and to said inventions, said application and all divisions, reissues, substitutions, continuations, continuations-in-part and extensions thereof, and all patents which may be granted for said inventions. I authorize and request the Commissioner of Patents and Trademarks to issue all patents for said inventions, and all patents resulting from said application and all divisions, reissues, substitutions, continuation, continuations-in-part and extensions thereof, to ASSIGNEE as owner of the entire right, title and interest.

I also hereby sell and assign to said ASSIGNEE, its successors, assigns and legal representatives the full and exclusive right, title and interest to the inventions disclosed in said application throughout the world, including the right to file applications and obtain patents, utility models, industrial models and designs for said inventions in its own name, all rights to publish cautionary notices reserving its ownership of said invention, all rights to register said invention in appropriate registries throughout the world, and all rights of priority under the terms of the International Convention for the Protection of Industrial Property and other applicable conventions and treaties.

I will execute any and all powers of attorney, applications, assignments, declarations, affidavits, and any other papers in connection therewith necessary to perfect and fully vest the forgoing rights, title and interest in ASSIGNEE, its successors, assigns and legal representatives.

I will communicate to ASSIGNEE, or to its successors, assigns and legal representatives, any facts known to me respecting the inventions and any improvements; and, at the expense of ASSIGNEE, will testify in any legal proceedings, sign all lawful papers, execute all divisional, continuation, continuation-in-part, reissue and substitute applications, and make all lawful oaths, and generally do everything reasonably necessary to vest title in ASSIGNEE and to aid ASSIGNEE, its successors, assigns and legal representatives in obtaining and enforcing protection for said inventions in all countries throughout the world.

IN WITNESS WHEREOF, I have hereunto set my hands and seals.



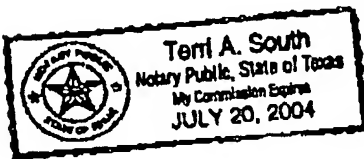
GUANGMING XIAO

STATE OF TX

COUNTY OF Trawis

§
§
§

On this 17th day of March 2004, before me, the undersigned Notary Public, personally appeared Guangming Xiao, known to me to be the person of the above name whose name is subscribed to the forgoing instrument, and acknowledged that he executed it for the purposes and consideration expressed therein.



Terri A. South

Notary Public
State of TX

County of Trawis

My Commission Expires: July 20, 2004

(SEAL)